

**KASSON TOWNSHIP
SPECIAL USE PERMIT FINDINGS OF FACT
FINAL**

Applicant Name: **Lively Holdings, LLC**

Owner Name: **Same**

Tax Parcel Number: **007-030-003-50** - Date of Meetings: 3/15, 4/19, 5/17, 6/4, 6/21, 7/19, 8/16, & 9/20/21

GENERAL FINDINGS OF FACT

The property covered by this Special Use Permit Application is described as: E 1/2 OF NW 1/4 OF NW 1/4 SEC 30 COM NW COR SD SEC & C/L EMPIRE HWY (A/K/A HWY M-72) TH ALG SD C/L S 88 DEG 36'18" E 774.32 FT TO POB TH CONT ALG SD C/L S 88 DEG 36'18" E 662 FT TH S 00 DEG 07'47" E 1317.29 FT TH N 88 DEG 33'55" W 662 FT TH N 00 DEG 07'49" W 1316.83 FT TO POB TOG WITH EASE SEC 30 T28N R13W 19.2 A

Also known as 3805 W. Empire Hwy., Empire, MI 49630

The Commission finds that the site is located in Kasson Township, Leelanau County.

The Commission finds that the site is approximately 19.2 acres in size.

The Commission finds that the site is located in the Commercial Zoning District.

The Commission finds that the proposed type of use of the property will be Commercial in nature, specifically for the operation of an existing campground. The proposed changes in this phase include a campground expansion of 25 campsites bringing the total to 40 sites along with a retail farm store and associated infrastructure. No other uses are being considered at this time.

The Commission finds that the use may be permitted with a Special Use Permit in this District (Commercial), and that the applicant has requested a Special Use Permit under Section 7.15 of the Kasson Township Zoning Ordinance because many of the uses are not identified as either permitted uses or special land uses in the Commercial zoning district.

The Commission finds that Section 7.3 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny the request for a Special Use Permit.

The Commission finds that Section 7.5.B of the Zoning Ordinance requires a Special Use Permit Application contain a Development Site Plan prepared in accordance with Chapter 8 of the Zoning Ordinance.

The Commission finds that Section 8.4 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny a Development Site Plan.

The Commission finds that a Notice of Public hearing was published on May 13, 2021 in the *Leelanau Enterprise* as required by Sections 7.6.A.1 and 7.6.A.2 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

The Commission finds that notice was mailed to all required parties on May 16, 2021 as required by Sections 7.6.A.1 and 7.6.A.3 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103). The Public Hearing was held on June 4th, 2021 @ the Kasson Township Hall.

The Planning Commission makes the following findings of facts which cover all of the relevant sections of the zoning ordinance relating to the proposed project.

[illegible]

B. A site plan in accordance with Chapter 8 - Development Site Plan Review	Met	Provided with application
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.7 BASIS FOR DETERMINATION: The Commission shall establish that the standards specified in this Section, as well as applicable standards outlined elsewhere in this Ordinance, shall be satisfied. Each of the proposed special land uses on the proposed location shall:</p> <p>A. Be designed, constructed, operated and maintained Before approval of a Special Use Permit, so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, as indicated in the Township Master Plan or other policies of the Township.</p> <p>B. Not be hazardous or disturbing to existing uses in the same general vicinity, and will not have adverse effects on the market value of surrounding property and to the community as a whole.</p> <p>C. Be served adequately by essential facilities and services, such as, but not limited to, highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.</p> <p>D. Not create excessive additional requirements at public costs for public facilities and services</p> <p>E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by fumes, glare, noise or odors.</p> <p>F. Will be in general compliance with the land use policies outlined in the Township Master Plan, the principles of sound planning, and will not jeopardize the economic welfare of the Township.</p>	<p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p>	<p>Provided by applicant for Public Hearing in Exhibit # 2. “The aesthetics of the existing campground will be improved with the addition of native trees and shrubs as screening and for shade, as well as flower fields and vegetable beds. The property will be designed to be attractive to tourists traveling to the National Lakeshore, and welcoming to year-round local customers coming for local food or evening entertainment.” See Screening/buffering condition.</p> <p>Provided by applicant in Exhibit # 2. “The commercial campground....will enhance the value of neighboring commercial properties that are also seeking to be attractive to tourists by creating a notable/welcoming appeal. The developing farm and farm market will enhance the community by improving access to healthy, locally grown fruits, vegetables, flowers and minimally processed foods. The campground will operate with attentive oversight and on-site management to ensure that all patrons remain on-site.”</p> <p>Three previously approved events shall not cause nuisances which would have an adverse effect on the neighborhood. Noise/sound levels at all times, shall be controlled so that persons do not disturb the public peace and quiet by shouting, whistling, loud, boisterous, or vulgar conduct, the playing of musical instruments, phonographs, radios, televisions, tape players or any other means of amplification at any time or place so as to unreasonably annoy or disturb the quiet, comfort and repose of persons in the vicinity.</p> <p>Follow Fire Chief’s letter dated 7/22/2021 which placed conditions on the use of the facility. See Exhibit 4 attached. Also, follow Backyard Burdickville’s Fire Management Plan and if the Fire Chief’s conditions are more restrictive, those will prevail.</p> <p>Provided by applicant in Exhibit # 2. “There will be no additional public costs as a result of this proposed use.”</p> <p>Provided by applicant in Exhibit # 2. “The proposed uses will not be detrimental to any persons or surrounding properties.” Applicant also understands that if nuisance complaints are received and substantiated for any use onsite, Enforcement action could take place. Property owner will make every reasonable attempt to</p>

		minimize and mitigate the impact. Property owner will adhere to all conditions provided herein placed by the Planning Commission.
ITEM	STD MET?	FINDING(S):
G. Will not directly or indirectly have a substantial adverse effect upon the natural resources of the Township. Including, but not limited to, prime or unique agricultural lands, water recharge areas, lakes, rivers, streams, forest, wetlands, wildlife areas and major sand, gravel or mineral deposits.	Met	Provided by applicant in Exhibit # 2. "The proposed uses will be very low impact on the natural resources, and will provide enhancements to agricultural soil and native species management with significant new planting of native trees, shrubs and flowers." Follow buffering and screening requirements.
H. Structures, landscaping, or other land uses, will not disrupt water drainage systems necessary for agricultural uses and will be in compliance with Leelanau County Drainage Commission requirements	Met	Provided by applicant in Exhibit # 2. "The property drains extremely well, and there are no significant structures proposed that will increase runoff." Condition to provide a Soil Erosion Permit for any earth change prior to any township approvals.
I. Phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage or erosion control.	Met	There are no proposed phases in this finding of facts as the property owner withdrew a possible phasing proposal on September 7, 2021
J. Phases of development must also be in compliance with the requirements of the district in which it is proposed and all other standards in this Ordinance, as well as with the requirements of the County Road Commission, County Building Inspector, County Drain Commissioner, District Health Department, Soil Erosion Officer, Agricultural Soil Conservation Service, area fire departments, the DNR and other applicable township, county, state and federal statutes.	Met	Provided by applicant in Exhibit # 2. Condition that all appropriate and applicable permits and approvals will be secured from all listed sources prior to township approval. Condition to follow EGLE's permit requirements and incorporate all of EGLE's conditions of approval into this document.
Note: the approved minutes of the following meetings are incorporated into documents as exhibits. 3/15, 4/19, 5/17, 6/4, 6/21, 7/19, 8/16, & 9/20/21.		

ITEM	STD MET?	FINDING(S):
<p>SECTION 7.8 CONDITIONS AND SAFEGUARDS</p> <p>Additional conditions and safeguards may be imposed by the Commission if reasonable and necessary to protect the natural environment or to conserve natural resources or energy, to ensure compatibility with adjacent uses of land, to promote the use of land in a socially and economically desirable manner, and to insure that public services and facilities affected by the proposed use or activity will be capable of accommodating the increased activity. Any condition so imposed shall meet the following requirements:</p> <p>A. To insure that public services and facilities affected by a proposed use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity;</p> <p>B. To protect the natural environment and conserve natural resources and energy;</p> <p>C. To insure compatibility with adjacent uses of land;</p> <p>D. To promote the use land in a socially and economically desirable manner;</p> <p>E. To protect the health, safety, welfare, social and economic well-being of those who will be using the proposed Special Land Use or activity under consideration;</p>	<p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p>	<p>Pursuant to Section 7.8 of the Zoning Ordinance for Special Use Permits, the following conditions are applied to the approval of the Campsite expansion and the outdoor retail part of the Special Use Permit:</p> <p>Property owner provided final:</p> <ol style="list-style-type: none"> 1. Campground fire management plan w/Fire Chief 2. Fencing and perimeter management plan 3. Final design numbers for parking plan; 4. On-site campground management – full time 5. Owner shall provide regulations for Camper Behavior. 6. Quiet hours shall be established for the Campground: 10p.m. to 7a.m., Sunday through Thursday and from 11p.m. to 7a.m. Fridays, Saturdays, and National holidays. 7. No campfires shall occur when burn bans issued by local or state authorities are in effect. 8. Noise/sound levels within the campsites, at all times, shall be controlled so that persons do not disturb the public peace and quiet by shouting, whistling, loud, boisterous, or vulgar conduct, the playing of musical instruments, phonographs, radios, televisions, tape players or any other means of amplification at any time or place so as to unreasonably annoy or disturb the quiet, comfort and repose of persons in the vicinity. 9. The campsites shall otherwise not create a “nuisance defined by as an offensive, annoying, unpleasant, or obnoxious thing or practice or a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; noise of a congregation of people, particularly at night 10. Outdoor amplified music is prohibited within the individual campsites as well as within all common areas and other areas of the Backyard Burdickville site. Indoor amplified music is also prohibited. This restriction is subject to other parts of the permit that allow up to three large outdoor events per year where outdoor amplified music is present.

		<p>11. Acoustic music is also prohibited within the entirety of the Backyard Burdickville site, including the common areas as well as individual campsites. This prohibition will remain in effect until such time as the Township's sound engineer has conducted on site testing and review, and acoustic music will then only be allowed, if at all, under the conditions set forth by the Planning Commission at that time.</p>
ITEM	STD MET?	FINDING(S):
<p>F. To protect the health, safety, welfare, social and economic well-being of Township residents, and lot owners adjoining the proposed Special Land Use or activity, including, but not limited to, requirements such as screening, or the erection of natural or artificial barriers, or limitations on the time of day during which construction may occur or during which Special Land Use activities may be carried on;</p> <p>G. Be necessary to meet the intent and purposes of this Ordinance, and be related to the standards established for the land use activity under consideration, and be necessary to ensure compliance with those standards;</p>	Met	<p>Applicant provided site plan showing the fencing and perimeter management plan by which the Planning Commission was satisfied. Planning Commission noted that if existing screening on neighboring property is removed by the neighbor, Applicant will replace Similar screening on their own property. Owner to provide four foot high screening along all parking areas. Owner will provide screening where there are voids in the existing perimeter screening. The Landscaping plan must meet the township zoning ordinance requirements.</p> <p>The existing trees along the west perimeter of the Property shall be maintained. Deciduous or evergreen trees, at least three feet in height shall be placed along the west perimeter of the Property where there is a gap of more than 10 feet between existing trees. In the event that the existing trees located along the west perimeter of the property are lost, they shall be replaced by deciduous or evergreen trees, at least three feet in height so that the gap is no more than 10 feet wide between trees.</p> <p>Fencing and signage for perimeter security will be required to minimize trespassing on neighboring properties.</p> <p>Pursuant to ZO Section 7.1.4 A, a performance guarantee in the amount of \$15,000.00 is required in relation to all of the infrastructure described site improvements within this document which includes screening and buffering.</p>

<p>H. Be necessary to insure compliance with any part of the application received and approved by the Commission; and</p> <p>I. Be recorded as part of the Special Use Permit.</p> <p>J. When so doing, the following finding shall be made and documented as part of the Special Land Use reviewed:</p> <p>1. That such fencing, screening, buffering or landscaping or limitations on the time of day would mitigate negative effects of noise, dust, lighting, vehicular or pedestrian traffic, loading or unloading, parking, or other similar impact on adjoining parcels;</p> <p>2. That absent such conditions, the development would adversely affect the reasonable use, enjoyment and value of adjoining lands in light of similar benefits enjoyed by other properties in the area.</p>	Met – see above	
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.10 GRANT OR DENIAL OF THE SPECIAL USE PERMIT</p> <p>The Commission may approve, deny, or approve with conditions, a request for Special Use Permit approval. The decision on a Special Use Permit under consideration shall be incorporated in a statement containing the conclusions which form the basis for the decision and any conditions and safeguards imposed. One copy shall be distributed to each of the following: Zoning Administrator, Township Clerk, and to the Commission.</p> <p>Only upon approval of the Commission may a Special Use Permit be issued by the Zoning Administrator.</p>	Met	<p>A motion to approve an expansion of an existing 15 site campground to 40 total sites including a farm retail market passed at a Planning Commission meeting on July 19, 2021 unanimously. (5-0)</p> <p>Additionally the definition of “public and semi-public uses” as requested by the applicant was tabled by the Planning Commission until Phase Two discussions begin.</p>

<p>SECTION 7.11 PERMIT EXPIRATION OR RENEWAL A Special Use Permit issued pursuant to the requirements of this Ordinance shall expire after one (1) year if construction or use has not commenced and proceeded meaningfully toward completion by the end of this period. Special Use Permits with an active "Performance Guarantee" must be brought before the Planning Commission every two (2) years for review and renewal. Application for renewal must be received by the Zoning Administrator at least sixty (60) days prior to expiration.</p>	<p>Met</p>	<p>The Planning Commission approved the project on 7/19/21 however, the Order of Approval and final findings of facts has yet to be approved by the Planning Commission. That process is scheduled to be completed at the March 21, 2022 PC meeting. If approved at that meeting the applicant will have until March 21, 2023 to commence and have proceeded meaningfully toward completion. Additionally, no permits will be issued for the campground expansion or the retail farm market will be issued until all of the conditions stated herein are met.</p> <p>Finally, the applicant understands that the Special Use Permit is required to be renewed every two years per Section 7.11 of the Kasson Township Zoning Ordinance.</p>
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.14 FINANCIAL GUARANTEES In the interest of insuring compliance with the provisions of this Ordinance, protecting the natural resources and the health, safety and welfare of the residents of the Township and future users or inhabitants of an area for which a proposed Special Use Permit has been submitted, the Commission may require the applicant to: A. Deposit a "Performance Guarantee" as set forth herein. The purpose of the "Performance Guarantee" is to insure completion of improvements connected with the proposed use as required by this Ordinance, including, but not limited to: roadways, lighting, utilities, sidewalks, drainage, fences, berms, screens, walls, landscaping, reclamation, and widening strips.</p>	<p>Met</p>	<p>Performance Guarantee was set in the amount of \$ 15,000 (fifteen thousand dollars) during the August 16th, 2022 Planning Commission meeting. The performance guarantee will be approved the Township Treasures and Township legal counsel.</p>

<p>1. "Performance Guarantee" as used herein shall mean a cash deposit, certified check, or irrevocable bank letter of credit in the amount of the estimated cost of any improvements to be made as determined by the applicant and verified by the Township Board.</p> <p>2. The "Performance Guarantee" shall be deposited with the Township Board at the time of the issuance of the permit authorizing the activity of project. No Special Use Permit may be issued before the receipt of all required "Performance Guarantees" by the Township Board.</p> <p>3. An approved Special Use Permit shall also prescribe the period of time within which the improvements for which the "Performance Guarantee" has been required are to be completed. The period will begin from the date of the issuance of the permit.</p>		
ITEM	STD MET?	FINDING(S):
<p>4. In the event the "Performance Guarantee" deposited is a cash deposit or certified check, the Kasson Township Board shall rebate to the applicant fifty (50%) percent of the deposited funds when sixty (60%) percent of the required improvements are completed as confirmed by the Township Board, and the remaining fifty (50%) percent of the deposited funds when one hundred (100%) percent of the required improvements are completed as confirmed by the Kasson Township Board. If a request is made by the applicant for a temporary certificate of occupancy without completion of required exterior improvements, the "Performance Guarantee" herein required may be applied by said applicant to assure compliance with the</p>		

standards of this Ordinance and the specifications of the approved site plan. 5. Upon the satisfactory completion of the improvements for which the "Performance Guarantee" was required, the Kasson Township Board shall return to the applicant the "Performance Guarantee" deposited and any interest earned thereon.		
ITEM	STD MET?	FINDING(S):
6. In the event the applicant defaults in making the improvements for which The "Performance Guarantee" was required within the time period as agreed to in the site plan, Kasson Township shall have the right to use the "Performance Guarantee" deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. Should Kasson Township use the "Performance Guarantee" or a portion thereof to complete the required improvements, and amounts remaining after said completion shall be applied first to Kasson Township administrative costs in completing the improvements for which it was posted, the applicant shall be required to pay Kasson Township		

the amount by which the cost of completing the improvements exceeds the amount of the "Performance Guarantee" deposited. The cost shall be billed to the permit holder and a lien placed against the subject property. If unpaid, the costs shall be collected in the same manner as delinquent taxes or as allowed by law.		
SECTION 7.15 OTHER SPECIAL LAND USES Land and structural uses that are not specified in any other section of this Ordinance, but, upon being applied for under the provisions of Chapter 7, may be considered by the Planning Commission as long as they meet all the conditions and requirements of this Chapter and the spirit and intent of the Ordinance.		The project as approved by the Planning Commission on July 19, 2021 was granting using this passage of the zoning ordinance to be considered.
ITEM	STD MET?	FINDING(S):
SECTION 7.16 RECORDING OF NOTICE OF SPECIAL USE PERMIT APPROVAL IN THE CHAIN OF TITLE Any property for which a Special Use Permit is approved under the criteria of this chapter of the Zoning Ordinance, shall record a notice of such permit approval at the Leelanau County Register of Deeds. The notice shall be prepared in a recordable form under any applicable requirements of Michigan law and/or of the Leelanau County Register of Deeds. The notice shall identify the legal description, street address and parcel number of the property subject to the permit. The notice shall further identify the type of Special Use Permit granted, when the Permit was granted, and where a copy of the complete Special Use Permit	Pending	Require recording final document which includes the Order of Approval and findings of facts with conditions placed on said approval.

document may be reviewed at the Township office. The notice shall be recorded within 30 days of the date that the Special Use Permit was approved for the property, and a draft of the notice shall be submitted to the Township Zoning Administrator for review prior to its recording.		
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ITEM	STD MET?	FINDING(S):
SECTION 8.9 DEVELOPMENT SITE PLAN REVIEW STANDARDS The following standards shall be utilized in reviewing all development site plans. The standards are intended to provide guidance for the applicant in the production of plans as well as a method for the review of the site plans by Township Officials. A. Elements of Development Site Plan Review 1. Neighborhood and Community Elements:		Provided in Exhibit # 3 The Planning Commission reviewed the entirety of Section 8.9 development site standards and they are incorporated within the site plan dated 5/19/21 as listed above.

<p>a. Historical Preservation. Owners of existing structures of historical significance are encouraged to preserve these structures and to renovate them in a manner which preserves that significance and places them appropriately among other like structures. Variances may be granted by the Zoning Board of Appeals when necessary to accomplish this purpose.</p> <p>b. Relation of proposed buildings to environment. Proposed structures shall be related harmoniously to the terrain, the size and shape of a lot, the character of adjoining properties and the existing buildings in the vicinity that have a visual functional relationship to the proposed buildings. Such a relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach and terrain of other buildings. In all cases, open spaces should be created that are usable.</p>		<p>“There are no historical structures on this site.”</p>
ITEM	STD MET?	FINDING(S):
<p>c. Other concerns which shall be addressed include microclimate effects created by structure placement, solar exposure and shadow effects, including snow build-up and drifting, and effects upon wetlands, drainage and habitat systems.</p> <p>d. Views and privacy, while dealing with the siting of buildings on individual parcels, shall be provided for on a larger scale by buffering and screening to preserve or create un-intrusive site lines wherever possible.</p> <p>e. Landscape Preservation. The landscape shall be preserved in as</p>		<p>Applicant plans to install solar panels on the roof of the existing building when shingles are replaced.</p> <p>Applicant notes the parcel is quite flat and well drained and will only be minimally graded in the parking areas.</p>

<p>natural a state as possible by minimizing tree and soil removal. Areas such as steep slopes, wetlands, and littoral areas, as well as resource areas such as forests, wooded lots and farmlands shall be preserved wherever possible. Any grading changes shall be in keeping with the lay of neighboring lands. Golf courses in particular shall be designed to retain as much of the native terrain and herbage as possible and shall provide wide screening buffers between fairways and the public roadways and other non-compatible uses.</p> <p>f. Business Districts. Design standards may be developed by particular business districts, and if promulgated, will be used to design the elements of structures and site improvements proposed within these districts.</p>		
ITEM	STD MET?	FINDING(S):
<p>g. Traffic-ways and Gateways. Site plans shall address the effects of new structures or uses upon traffic at or near their sites. A major use may require a traffic study to determine potential effects and possible necessary mitigating actions. Proposed uses at entryways to the community shall provide appropriate design features to welcome travelers to the community.</p> <p>h. Security, Fire and Emergency Access. Setbacks, access paths with adequate lane width and sufficient areas for fire and emergency vehicle turn around, and fire hydrant locations (where applicable) shall be provided per existing statues and ordinances and in accordance with requirements of the</p>		<p>Condition: Existing signage boards and posts will be re-used, but repainted and upgraded. New landscaping will be planted around the roadside sign, with native tree and shrub plantings in front of the farm fence along the road for windbreak, eye-appeal, and screening.</p>

appropriate reviewing authorities. All buildings or groups of buildings shall be arranged to permit emergency vehicles access by some practical means to all sides. Where applicable, security shall also be considered integral to the design. Sufficient illumination and ease of surveillance shall be addressed where appropriate.		
ITEM	STD MET?	FINDING(S):
<p>2. Engineering Elements:</p> <p>a. Drives, Parking and Circulation. Parking spaces sufficient only for the intended use shall be allowed. Calculations and justification for spaces provided shall be noted on the plans. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, attention shall be given to the location and number of access points to public streets, width of interior drives and access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and do not detract from the design of proposed buildings and structures and neighboring properties.</p>		<p>10 parking spaces will be provided for customers to the store</p> <p>5 parking spaces will be provided for campground guest registration, and staff;</p> <p>22 parking spaces will be provided for guests to meet the 1 ½ car / site requirement set by State of Michigan Campground Standards.</p> <p>Each campsite will also hold one car.</p> <p>All approved parking areas to be improved with a suitable material as required by the zoning ordinance.</p>

<p>Parking areas shall be screened from roadways and from their adjacent uses by landscaped areas or by walls. Sufficient distance between drives and property lines shall be provided.</p> <p>b. Surface Water Drainage. Attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system. Storm water shall be removed from all roofs, canopies and paved areas, and carried away in such a manner that it will not obstruct the flow of vehicular or pedestrian traffic, and will not puddle or freeze in paved areas. Run-off waters shall be detained or retained to cleanse it and to prevent erosion.</p>		<p>Obtain Soil Erosion Control permit prior to Land Use approval.</p>
ITEM	STD MET?	FINDING(S):
<p>c. Utility Service. In relation to neighboring properties and the site. New utility service distribution lines shall be underground wherever feasible. Any existing utility installations remaining above ground shall be placed out of sight as much as possible and situated harmoniously in relation to neighboring properties and the site. The proposed method of sanitary sewage disposal from all buildings shall be indicated. All utility installations shall be carried out in accordance with the current standards, rules and regulations of those entities having jurisdiction. No project shall be approved without permits or authorization for all appropriate governing agencies.</p> <p>3. Architectural Elements:</p>	<p>Met</p>	<p>In Exhibit # 3 the existing power lines to the property are buried, quite adequate, and capable of adding additional lines if needed.</p>

<p>a. Scale. Scale is the measure of the relationship of the mass and height of one structure or parts of a structure, to other adjacent form, including man. New structures shall complement or improve upon existing structures or the native rural environment, and be of human scale.</p> <p>b. Form. Form deals with height-to-width ratios, projections from structures, rhythms created by void-to-solid ratios, fenestration and roof configurations. Structures shall conform with, or be complementary to, neighboring sites and structures.</p>		<p>For farm market retail store only.</p>
ITEM	STD MET?	FINDING(S):
<p>c. Details. Details are additions to structures for ornamentation or decoration and functional appurtenances such as lighting and signage. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and does not impair the vision of traffic along adjacent streets. No night lighting shall be permitted toward other properties or into the sky, either directly or by reflection. The fixtures themselves shall complement both site and neighboring design elements. If specific decorative details are to be required by the Township, they will be delineated by specific districts, i.e., an historic area or particular business district. Standards for these districts shall be elicited from members of the affected areas and shall not be imposed by the Planning Commission or any other authority until those districts are</p>		<p>Applicant notes in Exhibit # 3: “The existing metal-sided building will be painted to fit the community, and have windows added with wood trim. Owner plans to add new wood trim around the eaves and corners, and possibly wood wainscoating. This will also be an architectural design detail that will soften the impact of the metal building, and be designed to fit the northern Michigan character of a rustic campground.”</p> <p>No signage or lighting has been shown on any plans to date. Any new signage or lighting must comply with zoning ordinance requirements.</p>

defined, bounded and the particular architectural details agreed upon within those districts.		
ITEM	STD MET?	FINDING(S):
d. Siting. Siting deals with solar and wind exposure, privacy, views, access, drainage and noise. The location of not only buildings but of mechanical equipment, storage facilities and activity areas are important parts of this element. Siting shall consider geographic conditions that include; topography, climate, privacy and views. The development plan shall provide reasonable visual and sound privacy for all dwelling units located therein and on adjacent properties. Fences, walks, barriers and landscaping shall be provided for the protection and enhancement of property and for the privacy of occupants and neighbors. Exposed storage areas, exposed heating, air conditioning and ventilating equipment or other machinery installations, service areas, truck loading areas, utility buildings and structures shall be set back and screened by plantings sufficiently large to sustain growth and		<p>Exhibit # 3:</p> <p>The site plan demonstrates a plan for customer traffic flow through the campground and to the retail farm market. Parking, fencing and driveways are located to best serve the amenities needed by customers, while ensuring that delivery and emergency vehicles have full access to all areas of the site if needed</p> <p>Legal counsel and a sound engineer were retained and a partial refund of the \$ 5,000 escrow account was returned to the owner.</p>

<p>attractiveness, or by other screening methods high and solid enough to assure that they will hide the above, yet shall be harmonious with the existing or proposed environment and surrounding properties.</p> <p>B. General and Necessary Conditions All other standards and requirements of this Ordinance and other applicable ordinances, regulations and statues must be met by development plans presented for review under provisions of this Chapter. The Planning Commission may confer or consult with a qualified expert in a particular field, e.g., architect or landscape architect, at the applicant's expense, to aid it in evaluating a difficult or complex project.</p>		
ITEM	STD MET?	FINDING(S):
<p>SECTION 8.10 FINAL DEVELOPMENT SITE PLAN APPROVALS</p> <p>A. Complete drawings, plus all certified final drawings and plans which are subject to development site plan review and contain all necessary modifications or additions required shall be submitted before final development site plan approval is granted.</p> <p>B. Conditions of Final Approval. Development Site Plans may be approved subject to the performance of certain conditions, including the provision of required improvements as the Commission shall deem to be reasonable and necessary, or advisable under the circumstances, so that the objectives of the Zoning Ordinance, the Master Plan, and any other Township planning documents shall be achieved.</p> <p>A development site plan may be approved conditionally upon necessary or required approvals by other local,</p>		<p>Owner must comply with all of Section 8.10, Final Development Site Plan approvals.</p> <p>Owner to provide final site plan referencing all conditions as stated in this finding of fact.</p>

<p>county or state agencies, such as, but not limited to, the Leelanau County Drain Commission, Leelanau County Road Commission, and Michigan Department of Natural Resources.</p> <p>1. Performance Guarantee" for Required Conditions Security may be required to ensure performance of required conditions. The applicant may be required to furnish security in the form of a certified check or an irrevocable bank letter of credit, acceptable to the Township, in the amount fixed by the Planning Commission. If security is required, the Zoning Administrator shall not issue a Land Use Permit until the required "Performance Guarantee" is received and verified by the Township Clerk within 30 days of approved site plan.</p>		
ITEM	STD MET?	FINDING(S):
<p>2. Provision of Required improvements Whenever a development site plan approval is granted or modified subject to the conditions that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the Zoning Administrator.</p> <p>3. Non-performance of Required Conditions In the event the applicant defaults in making the improvements for which the "Performance Guarantee" was required, the Kasson Township Board shall have the right to enforce a letter of credit or to use the monies being held as security to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the "Performance Guarantee" is not sufficient to cover the costs incurred by the Township to complete the</p>		<p>Owner understands all conditions of the zoning ordinance and those conditions incorporated in this document.</p>

improvements, including attorney's fees and court cost, if any, the applicant shall be required to pay Kasson Township the amounts by which the costs of completing the improvements exceeded the amount of the "Performance Guarantee". These costs shall be billed and a lien placed against the subject property. If unpaid, the cost shall be collected in the same manner as delinquent taxes or as allowed by law.		
ITEM	STD MET?	FINDING(S):
<p>4. Condition Declared Void Whenever any judgment of a court of competent jurisdiction becomes final, declaring one or more conditions of a development review approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said development site plan approval shall cease to be valid and all rights and privileges granted shall lapse.</p> <p>5. Violation of Required Condition or Conditions Whenever a development site plan is approved or modified by the Planning Commission subject to a condition or conditions, the use of enjoyment of the development site plan in violation of, or without observance of, any such condition shall constitute a violation of the Zoning Ordinance, and development site plan approval may be revoked.</p>		

ITEM	STD MET?	FINDING(S):
CHAPTER 4 Section 4.9.3.B, Required Off-Street Parking in Commercial Areas Refer to CHAPTER 6 (Parking)		Parking requirements are set forth in this documents as listed above.
Section 4.9.3 C. C. PERIPHERAL AREAS OF COMMERCIAL DISTRICT 1. Unless peripheral areas abutting highways and arterials contain existing mature trees, a mixture of indigenous species trees shall be planted to provide visual and noise screening to the area. Trees must be 1.5” inch caliper minimum at the time of planting. 2. Peripheral areas should have lower density uses, including where appropriate light manufacturing or warehousing, with large open areas to define the edges of the commercial park development. 3. Peripheral areas may be used for agricultural purposes or forests, as long as the uses are not nuisances to the commercial / community		

<p>facilities/institutional/ religious building use area.</p> <p>4. Natural vegetation and other existing attractive natural features within peripheral and within commons or green areas shall be properly maintained.</p>		
ITEM	STD MET?	FINDING(S):
<p>Section 4.9.4 Performance Standards</p> <p>A. All uses in this district shall be subject to Chapter 8, Development Site Plan Review.</p> <p>B. Any use allowed in this district shall be so situated and operated that it shall not become a nuisance to the neighbors.</p> <p>C. All commercial activities and operations shall be carried on within an enclosed structure unless specifically permitted to do otherwise by a Special Use Permit.</p> <p>D. The following standards shall be used to measure Commercial District projects:</p> <p>1. Sewerage - Adequate facilities to handle the total build-out proposal and not endanger area ground water quality as determined by the local health department. (Monitor wells may be required by the Planning Commission upon recommendation by the appropriate health authorities or a qualified engineer).</p> <p>2. Water - Adequate facilities to handle the total build-out proposal and not endanger area ground water quality as</p>		<p>All of the requirements of Section 4.9.4 have been thoroughly discussed by the Planning Commission and are listed above in this document.</p>

<p>determined by the local health department. (Monitor wells may be required by the Planning Commission upon recommendation by the appropriate health authorities or a qualified engineer).</p> <p>3. Fire – A review and a letter of written recommendation from the appropriate authority shall be required.</p> <p>4. Police - A review and a letter of written recommendation from the appropriate authority shall be required.</p>		
ITEM	STD MET?	FINDING(S):
<p>5. Traffic - A review and a letter of written recommendation from the appropriate authority shall be required. A formal traffic study may be required dependent upon the size and scope of the project.</p> <p>6. Drainage - Storm drainage resulting from a project shall be handled on-site or in conformance with an approved area plan and with the county regulations for storm drainage.</p> <p>7. Air Quality – Projects shall promote non-polluting transportation, heating ventilating and air conditioning systems.</p> <p>8. Physical conditions and natural features - Local prominent features and attributes, such as streams, woodlots, ridges, shall be preserved and enhanced.</p>		
<p>Section 4.9.6 Miscellaneous Regulations</p> <ul style="list-style-type: none"> • General provisions as permitted in Chapter 5. • Parking as permitted in Chapter 6. • Signs as permitted in Chapter 9. 		
<p>Section 5.6 Miscellaneous Storage</p> <p>Storage of any goods shall be in be in rear yards only and shall be contained</p>		

either within a structure or behind fencing of opaque screening that hides them from public view.		
Section 5.9 Fences, Walls, and Screens Fences, walls or screens are permitted in all yards, but shall be subject to sight distance requirements at drives and roadways.		
ITEM	STD MET?	FINDING(S):
Section 5.13 Temporary Outdoor Uses Temporary outdoor uses may be permitted in any zoning district provided that the temporary use is similar in nature to those uses that are allowed by right in the district. Any other temporary outdoor uses require a review by the Planning Commission and may require an approved site plan at the Commission's discretion in accordance with Chapter 8. A Land Use Permit identifying the location, sponsoring group or individual, and the beginning and ending dates of the use must be obtained from the Zoning Administrator by the event sponsor. The Zoning Administrator shall determine the off street parking requirements for the event.		The Planning Commission and owner completely understand that no temporary outdoor uses are being approved as part of this project with the 3 events previously approved in 2001. Additionally the PC incorporates into this document The zoning administrator's memo dated January 30, 2020 which has served as baseline shortly after the owners purchased the property.
Section 5.15 Required Water Supply and Sanitary Sewerage Facilities No structure shall be erected, altered, or moved upon any parcel as a dwelling, office, business, industry or public facility unless it is provided with a safe, sanitary, and potable water supply and with a safe and effective means of collection, treatment, and disposal of human, domestic, commercial, or industrial waste. All such installations and facilities shall		

conform to the requirements of the County Health Department and applicable State agencies and all applicable permits authorizing said facilities shall be obtained. The owner or applicant for any Land Use Permits shall demonstrate the availability of potable water and public sewer connections or adequate space for septic fields with appropriate reserve areas and setbacks specific to site conditions, but in no case should a septic field be closer than ten (10) feet to a lot line.		
ITEM	STD MET?	FINDING(S):
<p>Section 5.17 Landscaping, screening, greenbelts, buffers, and fencing</p> <p>A. The intent of this section is to promote the public health, safety, and general welfare. Generally, landscaping shall at least equal surrounding landscaping in newer areas and tend toward upgrading older areas. Landscaping needs will be determined by using the standards set forth in this Section, and other applicable sections of this Ordinance.</p> <p>B. The following standards shall be followed:</p> <ol style="list-style-type: none"> 1. Additional landscaping shall be added to the retained natural landscaping features, to reduce the apparent mass and height of buildings, to visually break expanses of paving, to reduce the visibility of paved areas from adjacent roadways and properties, and to provide an attractive appearance from both within and without the site. 2. Ground cover shall be permeable to prevent erosion. 3. Areas that are intended to be landscaped shall be provided with a minimum depth of topsoil of four (4) inches and mulched appropriately. 		Noted in previous sections to this document.

<p>4. All plantings shall be maintained in a vigorous, healthy, and weed-free state. Any dead or diseased plants shall be removed and replaced.</p>		
ITEM	STD MET?	FINDING(S):
<p>Chapter 6 – Parking Section 6.2 Adequate Off-Street Parking For all uses, adequate off-street parking shall be required to prevent conflicts with vehicular traffic. Adequate off-street parking shall be provided for each use. Off street parking areas shall be designed with enough capacity to provide safe and sufficient parking for all vehicles during normal visitation periods. Direct access to off street parking areas shall be provided from a county street or approved private street. Street rights-of-way shall not be construed as satisfying the requirements of this Chapter except as allowed by specific districts and uses in this Ordinance. Off street parking for commercial uses shall be sufficient to provide parking for the employees of all proposed uses as well as long-term customer parking. Off street parking lots shall be prohibited in any front yard setback area, and shall be located at the rear or side of the buildings and shall be accessed by means of common driveways, preferably from side streets or lanes. Such lots shall be small sized (less than 25 parking spaces), where possible, and interconnected with commercial parking lots on adjacent</p>		<p>10 parking spaces will be provided for customers to the store</p> <p>5 parking spaces will be provided for campground guest registration, and staff;</p> <p>22 parking spaces will be provided for guests to meet the 1 ½ car / site requirement set by State of Michigan Campground Standards.</p>

properties. Cross-access easements for adjacent lots with interconnected parking lots shall be required, in language acceptable to the Township. Common, shared parking facilities are encouraged, where possible.		
ITEM	STD MET?	FINDING(S):
<p>Section 6.3 Table of Off-Street Parking Requirements</p> <p>Total parking required is the sum of spaces for all land uses proposed on the site, plus employee parking, as defined below.</p> <p>For each campground site: 2 per site</p> <p>Guest parking: 15</p> <p>Farm Retail Market: 1 per 250 sq.ft.</p> <p>Employee/Staff: 1 space per</p> <p>Where an applicant can substantiate a different parking need than listed above, upon submittal of convincing written evidence to the Zoning Administrator, a deviation may be allowed. Unpaved parking areas may be allowed to handle special events or high non-routine parking requirements. These areas, though, must have properly stabilized subsoil and meet regular landscape requirements.</p> <p>Section 6.4 Uses Not Listed</p> <p>The Zoning Administrator shall determine the amount of parking spaces required for uses not listed in the table above. The Zoning Administrator's determination shall be based on a comparison of the proposed use and a similar use that is listed in</p>		<p>10 parking spaces will be provided for customers to the store</p> <p>5 parking spaces will be provided for campground guest registration, and staff;</p> <p>22 parking spaces will be provided for guests to meet the 1 ½ car / site requirement set by State of Michigan Campground Standards.</p> <p>Each campsite will also hold one car.</p>

the Table of Off-street Parking Requirements. In the event that there is a dispute over the number of spaces required, the matter shall be referred to the Zoning Board of Appeals for review and decision.		
ITEM	STD MET?	FINDING(S):
Section 6.5 Building, Structure, or Use, Expansions or Additions Additional parking shall be provided in accordance with the table above for any increase in floor area, change in use, addition, or expansion of a building or site.		
Section 6.6 Joint Parking The use of shared parking is encouraged and allowed when it can be demonstrated that the parking requirements of this Chapter can be met.		
Section 6.7 Off-Street Parking Area Construction Requirements A. The off street parking areas shall be surfaced with a material that provides a durable, smooth and dustless surface which shall be graded to drain and dispose of storm water. B. Storm water collection, drainage and retention structures meeting all requirements of the Leelanau County Road Commission and the Leelanau County Drain Commissioner shall be installed for all off street parking areas. C. Driveways and aisles for any off-street parking area shall be clearly defined meeting the following requirements: 1. Each driveway shall be a minimum of nine (9) feet and a maximum of twenty (20) feet in width per direction. Lanes for entering and exiting traffic shall be defined.		

<p>2. The driveways shall intersect the abutting street at a ninety (90) degree angle.</p> <p>3. Aisles shall be at least eighteen (18) feet wide.</p>		
ITEM	STD MET?	FINDING(S):
<p>D. Each parcel shall have no more than one (1) driveway entrance and exit opening to an abutting public thoroughfare for each three hundred fifty (350) feet of frontage, or fraction thereof. Where more than one (1) driveway is allowed because of an existing driveway, it will be as far as possible from the nearest driveway(s), except in high density areas. No parking lot driveway shall be located closer than ten (10) feet of a neighboring property line.</p> <p>E. All lighting of a required off-street parking area shall be arranged in such a manner and shall be of such height that the illumination is directed toward the ground and is not directed toward a public thoroughfare or adjacent properties.</p> <p>F. Parking and loading areas in general shall be located at the side or rear of the building, but in no case closer than fifty (50) feet from any road right-of-way and shall not be located any closer than ten (10) feet from any lot line.</p> <p>G. Any parking area larger than ten (10) spaces shall have a visual screen not less than four (4) feet high when adjacent to property zoned for residential uses.</p> <p>H. A Land Use permit shall be required for construction of any parking lot.</p>		

ITEM	STD MET?	FINDING(S):
<p>Section 6.8 Parking Lot Landscaping, Buffering, and Screening.</p> <p>A. Lots for apartment and non-residential uses shall balance the functional requirements of parking with the provision of pedestrian needs. Transition areas between parking and civic, commercial or residential uses should be designed with textured paving, landscaping and street furniture.</p> <p>B. Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking areas with a reasonable measure of shade. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of four (4) foot high, year-round visually impervious screen, hedge or wall. The height of any required screen, hedge, or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians or bicyclists from motor vehicles, and shall not interfere with clear sight triangle requirements.</p>		<p>Noted previously in this document.</p>

ITEM	STD MET?	FINDING(S):
<p>C. The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with ten or less spaces may not require interior landscaping if the Planning Commission determines that there is adequate perimeter landscaping. If this perimeter landscaping is found to be inadequate, and in parking lots with eleven (11) or more spaces, a minimum of one (1) deciduous shade tree, 1½ " inch caliper, shall be planted for every six (6) parking spaces.</p> <p>D. Planting areas shall be as large as possible, but no smaller than 10 x 20 or an equivalent planter is required. Choice of plant materials, buffer width, type of screening location, and frequency of tree planting shall be flexible, but shall ensure the above objectives are satisfied. Parking lot layout shall take into consideration pedestrian circulation, pedestrian crosswalks shall be provided, and where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian or multi-mode trail ways.</p>		

ITEM	STD MET?	FINDING(S):
<p>Chapter 9 - Signs Section 9.3. Administration A. Unless exempted by Section 9.4 below, any person(s), company, association, and/or corporation with an ownership interest or other authority over land, shall provide the Township a completed sign application, accompanied by the appropriate fee, prior to the installation or any alteration of a sign or signs in the Township. A fee for such application shall be set, from time to time, by Resolution of the Township Board. B. The Township Zoning Administrator shall only issue a sign permit provided that the sign installation/alteration complies with all provisions of this Chapter, and other applicable sections of the Zoning Ordinance. C. All signs shall be installed only with the prior approval of the property owner, the Township, and the appropriate county or state agency as applicable.</p> <p>Section 9.5. Signage Allowed Per District Up to 2 signs of no more than 10 square feet each per parcel may be allowed without a permit. These signs must comply with all other provisions of this ordinance, as enforceable by the Zoning Administrator. The total sum of the square footage of these signs shall not exceed 30 square feet for each parcel. Commercial, SPD: Wall/Fixed: 16 square feet per sign, 8 feet above grade Portable/ Sandwich Board 8 square feet per sign, 4 feet above grade</p>		<p>Any new signs will be required to adhere to the zoning ordinance requirements.</p>

ITEM	STD MET?	FINDING(S):
<p>Section 9.6. General Provisions Governing the Use of Signs</p> <p>In addition to Section 6 above, the following provisions permitting the installation, erection, and maintenance of signs will apply:</p> <p>A. One sign of not more than thirty (30) square feet in area, shall be permitted on any unimproved parcel in any district permitting single family residential usage, provided such signs are located not less than five hundred (500) feet from any existing residence.</p> <p>B. Groups of signs may be placed on a parcel, regardless of district, but the total area of the group may not exceed the Maximum Allowable Sign Area of All Signs on Parcel (added together) in Table 9-1 above.</p> <p>C. Placement of a sign or group of signs shall not obstruct vision for either traffic, pedestrians, or occupants of the area.</p> <p>D. No sign shall be affixed in any manner to utility poles.</p> <p>E. No spinners, pennants, inflatable signs, flashing lights, or other distractive devices, may be used in conjunction with any sign or as a sign.</p> <p>F. No signs shall be allowed in the road right-of-way or clear vision area without permission from the local, county, or state road agency.</p> <p>G. Signs are subject to setback requirements specifically called for by the Michigan Department of Transportation and/or the Leelanau County Road Commission.</p> <p>H. Signs may be illuminated by a shielded light shining downward onto the sign. If illuminated, the source of light shall be baffled so it is not visible to vehicles or pedestrians on any road, water body, public land, adjacent parcels, or in the air above the illumination.</p>		

ITEM	STD MET?	FINDING(S):
<p>I. All signs and sign structures shall be maintained in good, safe, structural condition and repair. All signs and display surfaces shall be neat in appearance and neatly painted or posted, and not ripped, tattered or faded. Premises immediately surrounding freestanding signs shall be kept clean and free of rubbish, weeds and debris.</p> <p>J. Signs shall not exceed the maximum height above the unaltered parcel grade (i.e., grade or topography existing prior to any excavation, clearing, grading or filling) listed in Table 9-1.</p> <p>K. Sign removal: Once the purpose of the sign is ended, the sign shall be removed within 30 calendar days. Anything used to solely support or provide a structure for a sign, and not in use for any other purpose, shall be removed.</p> <p>L. All signs shall be set back a minimum of ten (10) feet from all lot lines, except where regulated otherwise by this Ordinance.</p> <p>M. No sign shall exceed the height limitation of the district in which it is located or as otherwise regulated by this Ordinance.</p> <p>N. Fixed (free-standing) signs shall not exceed sixteen (16) square feet total face size.</p> <p>O. Only one Fixed (free-standing) sign is allowed per parcel.</p> <p>P. The sign area of Wall Signs shall not exceed ten (10%) percent of the area of the face of the wall to which it is attached.</p>		

ITEM	STD MET?	FINDING(S):
<p>Q. Notwithstanding Table 1, in any instance where a parcel is occupied by a single family home, without any accompanying commercial or agricultural use of the property as permitted under the Zoning Ordinance, no more than two (2) signs of any type are allowed, not to exceed a combined sign area of eight (8) square feet.</p> <p>Section 9.7 Non-Conforming Signs A non-conforming sign or sign structure existing and in place as of the date of the enactment of this Ordinance may continue to have the copy of message on the sign changed and may also have normal maintenance performed. However, a nonconforming sign existing on the day of enactment of this Ordinance SHALL NOT:</p> <p>A. Be changed to another non-conforming sign.</p> <p>B. Be structurally altered so as to prolong the life of the sign or change the shape, size, location, type, or design of the sign.</p> <p>C. Be re-established after the activity, business, or use to which it relates has been discontinued for ninety (90) days or longer.</p> <p>D. Be re-established after damage by any means if the damage is in excess of the State Equalized Value (SEV) of the sign, as determined from its most recent assessed valuation.</p>		

ITEM	STD MET?	FINDING(S):
<p>Section 10.2 Land Use Permit Required</p> <p>Except as otherwise provided, no building or structure of any kind, including signs, shall be erected or any use authorized until a permit has been issued by the Zoning Administrator. Once it has been determined by the Zoning Administrator that the proposed building, structure, or use is in conformance with all the provisions of this Ordinance and appropriate fees are paid, a Land Use Permit may be issued. The Land Use Permit shall be non-transferable and shall remain valid for one (1) year from the date of issuance. A Land Use Permit is required for all buildings or structures over one hundred (100) square feet prior to application for a building permit. All buildings or structures, regardless of size, shall meet setback requirements of this Ordinance.</p>		<p>Zoning Administrator will not issue a Special Use Permit approval until all required conditions are met.</p>
<p>Section 10.10 Escrow Deposits For Variable Costs and Expenses</p> <p>Any applicant for any land use permit may be required to deposit funds to defray anticipated variable costs and expenses incurred by the Township where professional input, study or review is desired before a final decision is made. Such escrow deposits may be used to pay the actual professional expenses of community planners, engineers, attorneys, and other professionals whose expertise the Township values to provide guidance on the proposed application. Such applications may include, but are not limited to, site plan approval, special use permit, planned unit development, or conditional use permits.</p>	Met	<p>Escrow check received from applicant in the amount of \$ 5,500. Full accounting of expenses have documented. A partial refund was issued by the Township.</p>

NOTE: The Planning Commission may require such other data as may be required to ensure that the purposes of Chapter 8 are satisfied. The Commission shall state for the record its reasons for taking such action. Further, the Planning Commission may wave a requirement or requirements in Section 8.7 if not deemed necessary for a thorough review. The Commission shall state for the record its reasons for taking such action.

ATTACHMENTS TO FINDINGS OF FACT:

Exhibit # 1. - Site Plan and supporting documents

Exhibit # 2. - Zoning Ordinance Section 7 - Applicant's responses

Exhibit # 3. - Zoning Ordinance Section 8 - Applicant's responses

Exhibit # 4. - Fire Chief letter dated 4/19/21

Exhibit # 5. - Director of Emergency Management letter dated 3/4/21

Exhibit # 6. - DEQ/EGLE Tent in Campgrounds policy dated 1/9/2013

Exhibit # 7. - DEQ/EGLE Cabins & Park Models in Campground policy dated June 2016

Note:

The Order of Approval will incorporate the conditions of the findings of facts listed herein. The Zoning Administrator and Township Attorney will provide this document to the Planning Commission for their approval. The findings of facts will also be approved by the Planning Commission. If there are objections to the Order Of Approval or the Findings of Facts by the applicant, they can appeal the Planning Commission decision to the Kasson Township Zoning Board of Appeals.